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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/494,801	01/31/2000	Arthur L. Gaudette	INTL-0314-US(P7997)	3975

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EXAMINER
DETWILER, BRIAN J

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 03/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/494,801	GAUDETTE, ARTHUR L.	
	Examiner	Art Unit	
	Brian J Detwiler	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 December 2002* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-11 and 13-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-11 and 13-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 21-23 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent No. 6,366,933 (Ball et al).

Ball discloses in column 1: lines 50-57 an invention for comparing a cached and a current version of a document. Ball further illustrates in Figures 11 and 12 that the documents used for comparison are Internet web pages. Additionally, in column 19: lines 1-10, Ball discloses a method for showing the differences between two Internet web pages, wherein only the differences are displayed on the screen. Said method corresponds to the claimed limitation of "blanking the common material". Furthermore, Ball discloses in column 20: lines 26-53, that the current version of the web page can be provided directly from a web server.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-4, 6-11, and 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,366,933 (Ball et al) and U.S. Patent No. 5,142,619 (Webster, III).

Referring to claims 1, 2, 4, 6, 8, 9, 11, 13, 15, and 20, Ball discloses in column 1: lines 50-57 and further illustrates in Figures 11 and 12 an invention for comparing cached and current versions of an Internet web page. Ball's invention inherently operates on processor-based systems with storage media for storing program instructions. In Figure 12, Ball even discloses a button labeled "DIFF" that, upon actuation, causes the differences between the cached and current versions of the Internet web page to be displayed on the screen. Furthermore, Ball discloses in column 20: lines 26-53, that the current version of the web page can be provided directly from a web server. Ball, however, fails to disclose a navigation bar with a subtract button image. Webster discloses in column 4: lines 5-32 an invention for comparing two files wherein a compare button [66] is implemented in an editing program's action bar [62]. The action bar is interpreted to correspond to the claimed navigation bar since both are toolbars designed to operate in the context of a file comparison program. The compare button [66], upon actuation, causes only the differences between the two files to be displayed on the screen in window W3. As illustrated in Figure 4, compare button [66] uses a textual label for identification. Although the compare button [66] does not contain a subtract button image, the button behaves in a similar manner to the button in the claimed invention. Additionally, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify compare button [66] by changing the label to an image of a minus sign. Applicant has

not disclosed that the minus sign image provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with a textual label because the button's behavior would remain the same. Therefore, it would have been obvious to one of ordinary skill in the art to modify Ball's invention to use a minus sign image instead of a textual label. Finally, it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the "DIFF" button disclosed by Ball with the compare button on a navigation bar as disclosed by Webster. A navigation bar with a compare button would improve Ball's invention because the button would always be visible in a location where users would expect to find buttons for performing various actions on Internet web pages.

Referring to claims 3 and 10, Ball discloses in column 19: lines 1-10, a method for showing the differences between two Internet web pages, wherein only the differences are displayed on the screen. Said method corresponds to the claimed limitation of "blanking the common material".

Referring to claims 7, 14, and 19, Ball illustrates in Figure 11 that differences are presented to the user as an HTML file in a web browser. Assuming that a user is viewing the current version of a web page before requesting that the differences be displayed, he or she could toggle between displaying the difference version and the current version simply by using "back" and "forward" functions well known in the art of web browsing.

Referring to claims 16-18, Ball illustrates in Figure 12 a button image (labeled DIFF), that upon actuation, causes a cached version and a current version of an Internet web page to be differenced and the results displayed on the screen, as shown in Figure 11.

Response to Arguments

Applicant's arguments filed 23 December 2002 have been fully considered but they are not persuasive. Applicant asserts that the web page differencing disclosed by Ball is not between an archived web page and one that is retrieved straight from a web server. Ball's invention, as explained throughout the disclosure, utilizes numerous programs to archive a history of changes made to a web page or document. As discussed by Applicant, when all of the programs operate together, the invention detects that changes have been made to a web page, copies the current version to an external service, and stores the changes for later reconstruction. There are, however, other embodiments of the invention. In column 20: lines 26-53, Ball discloses several methods of interaction with the software programs. Specifically, a user can choose the "Diff" command to "have the snapshot facility invoke htmldiff to display the changes in a page since it was last saved away by the user". Ball further states in lines 44-47 that each new page can **immediately** be passed to htmldiff. Htmldiff, as explained in column 11: lines 25-27, compares two HTML pages and creates a merged page to show the differences. Accordingly, Ball's invention clearly provides the ability difference an archived web page and one that is retrieved straight from a web server.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J Detwiler whose telephone number is 703-305-3986. The examiner can normally be reached on Mon-Thu 8-5:30 and alternating Fridays 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on 703-308-3116. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

bjd
February 25, 2003

JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100